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From: Ann Looney <alooney@moses-ma.org>
Sent: Monday, August 22, 2011 10:21 AM
To: Hanchett, James (DPH); Salem, Sharon (DPH); Pontes, Rebecca (DPH); Farak, Sonja (DPH)
Cc: 'Bridget Quinn'; Salemi, Charles (DPH)
Subject: FW: Additional TV pick up includes...

fyi

From: Colleen Turner [mailto:colleen@btc-boston.com]
Sent: Sunday, August 21, 2011 7:31 AM
To: Colleen Turner; Joe Dorant
Cc: <auntie126@aol.com>; Mickey Splaine, DOT; Ann Looney; Mary Richards, DEP; Jill Clemmer, DPH; Alex Smigliani; John Grady, Housing & Comm. Dev.
Subject: Re: Additional TV pick up includes...

WWLP News 22 (NBC)
<http://www.wwlp.com/dpp/news/local/hampshire/Drug-testing-lab-in-Western-MA-to-close>

ABC 40/FOX 6
<http://www.wggb.com/story/15299648/state-closing-key-drug-testing-lab>

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colleen@btc-boston.com

From: Colleen Turner <colleen@btc-boston.com>
Date: Sat, 20 Aug 2011 10:52:51 -0400
To: Joe Dorant <jdorant@moses-ma.org>
Cc: "<auntie126@aol.com>" <auntie126@aol.com>, "Splaine, Michael (MHD)" <Michael.Splaine@state.ma.us>, Ann Looney <alooney@moses-ma.org>, Mary Richards <mary.richards@state.ma.us>, Jill Clemmer <jill.clemmer@state.ma.us>, Alex Smigliani <alex.smigliani@state.ma.us>, John Grady <maureenandjohn58@comcast.net>, Colleen Turner Secino <colleen@btc-boston.com>
Subject: Re: Daily Hampshire Gazette story with Joe Quotes

<http://www.gazettenet.com/2011/08/20/drug-lab-again-on-hit-list>

Here is the updated story (link above/story below) w/Joe's input...well done, Joe. Way to stay on

message.

drug lab <http://www.gazettenet.com/2011/08/20/drug-lab-again-on-hit-list> again on hit list for budget axing <<http://www.gazettenet.com/category/sci-tech>>

By BOB FLAHERTY <<http://www.gazettenet.com/user/bob-flaherty>>

Staff Writer

- Login <<http://www.gazettenet.com/login?destination=node/331417%2523comment-form>> to post comments
- Printer-friendly version <<http://www.gazettenet.com/print/331417>>

Saturday, August 20, 2011

- 1 <<http://www.gazettenet.com/2011/08/20/drug-lab-again-on-hit-list>>

<<http://www.gazettenet.com/files/images/20110819-220123-pic-57980351.display.jpg>>

GAZETTE FILE PHOTO

Area police caution that plans to close a state-run drug-testing lab at the University of Massachusetts will cost taxpayers when their officers have to rack up mileage and time transporting contraband to a lab in eastern Massachusetts.

Western Massachusetts' only lab for weighing and testing illegal drugs seized by local law enforcement is about to close, creating a problem for police.

Because of budgetary woes, Gov. Deval Patrick's administration plans to shut the lab, located at the University of Massachusetts Amherst, by Sept. 30.

The lab has long been operated by the state Department of Public Health and employs three chemists and a supervisor. The amount saved by the layoffs this fiscal year would be \$227,000, according to a statement released by the department.

"Due to an unprecedented fiscal situation, we have had to make extremely difficult decisions, and at this time we plan to consolidate our resources and close the Amherst Drug Lab," DPH spokeswoman Jennifer Manley said in a statement. She said the lab's four employees will be laid off, but could bump other employees depending on union seniority.

State Sen. Stanley Rosenberg, D-Amherst, said that this is the third attempt in the past 25 years to close the lab, but each time a compromise was reached. "We were able to do it with a reduction in staff, but the office survived," said Rosenberg.

"The essence of the problem is that samples to be tested and materials will need to be transported across the state. That's a very, very, long way. You're looking at a minimum of half a day's work unless they develop some type of transportation system that's reliable," Rosenberg said.

Rosenberg said he has scheduled a meeting for Wednesday with Public Health Commissioner John Auerbach to discuss the situation.

Western Massachusetts police departments will likely have to transport seized drug samples to a lab in Jamaica Plain and will have to take them there themselves to preserve what is known as the continuity of evidence. The Jamaica Plain lab reportedly has a three-month backlog. The Amherst lab has a 38-day backlog of samples to be tested.

Northampton Police Chief Russell Sienkiewicz said he believes the closing will result in an

unnecessary expense for 101 municipalities and the state police.

"Terrible idea," Sienkiewicz said Friday. "It might seem like a sensible savings, but it will cost communities in western Mass. a tremendous amount of time. What now takes 40 minutes roundtrip will take four hours. We'll have to pay officers overtime and burn a lot of gasoline. It's not like they're consolidating a lab in Worcester."

Sienkiewicz added that police departments can't alter the way they deal with confiscated drugs just because the commonwealth has budget problems.

"You're not going to pick and choose based on cost," he said. "We can't throw these things in the trash and burn them. It's part of the tracking process police departments do to protect themselves."

Sienkiewicz also said that prosecuting cases will be a nightmare. "It makes things harder for prosecutors. You'll end up dragging out cases," he said. "It's not fair to victims or suspects to postpone, postpone, postpone. The (Supreme Judicial Court) rules that chemists have to testify. What are his costs? The worst-case scenario is that the chemist can't show up and a drug dealer goes free and is back in the community."

In 2009 the Supreme Judicial Court upheld the right of a defendant to cross-examine lab analysts' written reports in court. Chemists from the Amherst lab made 60 court appearances in fiscal 2011, while those in Boston appeared 188 times, according to Joe Dorant, president of the Massachusetts Organization of State Engineers and Scientists, the union representing the lab's employees.

"The impact will be significant to western Mass.," said Dorant. "Holyoke, Pittsfield and Springfield are part of a major corridor for drugs. The police, district attorneys and the courts all rely on our chemists to testify in court so they can prosecute drug dealers. The Jamaica Plain lab will have an increase of 6,000 tests, or about 35 percent, and they already have a 90-day backlog.

"There will definitely be a lag time to get these cases to trial. My greatest concern is that the legal system will be compromised," he said.

"These are hard times," Dorant added, "but public safety is a priority."

Dorant said that the union will be pressuring the Legislature to restore a supplemental budget to fund the lab and keep it open.

Asked if he was optimistic about reversing the decision to close, Rosenberg said, "You don't count your chickens before they hatch."

Transferring costs

Rosenberg, the Amherst state senator, said that the situation is tantamount to transferring the cost from the state to municipalities and from one state agency's budget, which is clearly pressed, to state police or district attorneys.

"Someone is going to pay for transportation. Someone has to get the materials there," Rosenberg said.

"It puts an unfair burden on all municipalities," said Sienkiewicz.

In fiscal 2011, the Amherst lab processed 6,156 drug samples. The Jamaica Plain lab tested 17,683 drug samples. That Jamaica Plain lab employs 11.

Sent from Colleen Turner Secino's iPhone...617.429.2217

On Aug 19, 2011, at 5:15 PM, "Joe Dorant" <jdorant@moses-ma.org> wrote:

Patriot Ledger picked up Matt's article.

From: ShareThis [mailto:notifier@bounces.sharethis.com] **On Behalf Of** mary.richards@state.ma.us
Sent: Friday, August 19, 2011 4:46 PM
To: jdorant@moses-ma.org
Subject: mary.richards@state.ma.us has shared: Lab closure could hamper prosecution in drug cases

not sure if you saw this yet. good job.

Lab closure could hamper prosecution in drug cases <<http://sharethis.com/HOL6u>>

Source: patriotledger.com <<http://patriotledger.com>> The Patrick administration is planning next month to close the only state drug testing laboratory in western Massachusetts, a move critics warn will further clog an already backlogged system and shift costs to local police departments. <<http://sharethis.com/HOL6u>>

mary.richards@state.ma.us <mailto:mary.richards@state.ma.us> sent this using ShareThis <<http://sharethis.com>> .